

SEMINOLE COUNTY GOVERNMENT AGENDA MEMORANDUM

SUBJECT: Contracts and Purchasing

DEPARTMENT: Fiscal Services **DIVISION:** Purchasing and Contracts Division

AUTHORIZED BY: Lisa H. Spriggs **CONTACT:** Ray Hooper **EXT.** 7111

Agenda Date 4/26/2005 **Regular** ☐ **Consent** ☒ **Work Session** ☐ **Briefing** ☐
Public Hearing – 1:30 ☐ **Public Hearing – 7:00** ☐

MOTION/RECOMMENDATION:

BACKGROUND:

CONSTRUCTION CONTRACTS

- 11 .. **Mutual Termination for Convenience of CC-1229-04/TLR – Turn Lane Improvements to Markham Woods Road with Prime Construction Group, Inc. of Orlando, FL, (\$1,633,334.00).**

At the May 11, 2004 meeting, the Board approved the award of CC-1229-04/TLR to Prime Construction Group, Inc (Prime). CC-1229-04/TLR provides all labor, materials, equipment, transportation, coordination and incidentals necessary for improving Markham Woods Road to three lanes to accommodate a center turn lane between Springs Landing Blvd. and E.E. Williamson Road. Work to include, but not limited to, site preparation, milling, paving, MOT, sidewalks, traffic signals, irrigation, landscape, and concrete sidewalk with emphasis on highly aesthetic quality finished product.

Reviewed by:

Co Atty: _____

DFS: _____

Other: _____

DCM: _____

CM: _____

File No. CFSP00

The contract was executed on June 4, 2004; however, at the request of Prime, the Notice to Proceed (NTP) was never issued. Therefore, work on this project has never started. Subsequently, on January 4, 2005, Prime submitted a claim to cover increases in the costs of construction materials in the amount of \$97,903.00. The Purchasing and Contracts Manager denied the claim by letter dated March 16, 2005. Prime appealed that decision by letter dated March 30, 2005; asking for an adjustment in the contract amount of \$97,903.00 and indicating that further price adjustments were anticipated. Prime has indicated they will not perform at the contract amount.

After careful review of the claim, Staff finds the claim as presented is without merit and recommends the claim be denied. Prime has also provided indications that they will not honor this firm, fixed price bid and intends to treat the contract as if it included escalation clauses to cover any future increased material costs. Therefore, Staff recommends the contract be terminated for mutual convenience and the project re-bid. Re-bidding the project will ensure the County gets a fair price based on the current market costs. Re-bidding will also allow bidders to provide a price that will take advantage of the utility relocations completed since the original bid date.

The Public Work Department/Engineering Division and Fiscal Services Department/Purchasing and Contracts Division recommend the Board approve the mutual termination of CC-1229-04/TLR and authorize the Purchasing and Contracts Manager to execute the termination.

PROFESSIONAL SERVICES

- 12. Approve Ranking List, Authorize Negotiations, and Award four PS-5173-04/AJR – Master Agreements for Continuing Professional Services for Environmental Services to Boyle Engineering, Inc., of Orlando; Malcolm Pirnie, Inc., of Maitland; PBS&J of Orlando; and Reiss Environmental, Inc., of Orlando. (Est. \$500,000.00 per year)**

PS-5173-04/AJR will provide various professional services for Seminole County Environmental Services Department.

The Projects will include, but not be limited to, the following:

1. Utility relocates for minor roads projects
2. Fire flow modeling and capacity analysis
3. Engineering evaluation of proposed utilities within the Department
4. Interconnects with other Utilities
5. Utility data analysis and management systems
6. Geographic information systems and Hydraulic modeling assistance
7. Minor permitting

This project was publicly advertised and the County received thirteen submittals (listed in alphabetical order):

Boyle Engineer, Inc., Orlando;
Brown & Caldwell, Maitland;
Dyer, Riddle, Mills & Precourt, Inc., Orlando;
Harris Civil Engineers, Inc., Winter Park;
Hartman & Associates, Inc., Orlando;
Hazen and Sawyer, P.C., Tampa;
Jones, Edmunds & Associates, Inc., Winter Park;
Malcolm Pirnie, Inc., Maitland;
McKim & Creed, PA, Daytona Beach;
PBS&J, Orlando;
Professional Engineering Consultants, Inc., Orlando;
Reiss Environmental, Inc., Orlando;
Rockett & Associates, Inc., Winter Park.

The Evaluation Committee, which consisted of Robert G. Adolphe, P.E., Director of Environmental Services; Michael R. Harber, Senior Engineer; Gary Rudolph, Utilities Manager; Jeffrey F. Thompson, P.E., Senior Engineer; and Dennis Westrick, P.E., Manager PEI evaluated the submittals and short-listed four firms using the following criteria:

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|---|-----|
| Approach to Project/Innovative Solutions | 45% |
| Qualifications of Proposed Personnel and Firm | 20% |
| Similar Recent Project Experience | 25% |
| Workload/Ability to Perform | 10% |

The Evaluation Committee telephone interviewed the following four short-listed firms giving consideration to the overall quality of the interview:

Boyle Engineer, Inc., Orlando ;
Malcolm Pirnie, Inc., Maitland;
PBS&J, Orlando;
Reiss Environmental, Inc., Orlando.

The Evaluation Committee recommends that the Board approve the ranking below and authorize staff to negotiate with the top four ranked firms in accordance with F.S. 287.055, the Consultants Competitive Negotiation Act (CCNA):

Reiss Environmental, Inc., Orlando;
Malcolm Pirnie, Inc., Maitland;
PBS&J, Orlando;
Boyle Engineering, Inc., Orlando.

Authorization for performance of services by the Consultant under this agreement shall be in the form of written Work Orders issued and executed by the County and signed by the Consultant. The work and dollar amount for each Work Order will be within the constraints of the approved project budget and negotiated on an as-needed basis for the project. The estimated value is \$500,000.00/year. The term of the agreement shall commence upon execution and shall run for a period of three (3) years and, at the sole option of the County, may be renewed for two (2) periods not to exceed one (1) year each.

Environmental Services/ Planning Engineering and Inspections Division and Fiscal Services/Purchasing and Contracts Division recommend that the Board approve the ranking, authorize staff to negotiate, and authorize the Chairman to execute the four (4) Master Agreements as prepared by the County Attorney's Office.

REQUEST FOR PROPOSALS

13. Award RFP-4241-05/TLR – Chemical Feed Systems Services, to Guardian Equipment, Inc., Goldenrod (Est. \$125,000.00 per year).

RFP-4241-05/TLR will provide for various chemical feed equipment repair, refurbishment and replacement services including: 1) furnishing all materials, equipment, labor and supervision as necessary to design, construct and install the repair, refurbishment and replacement Chemical Feed System(s) and 2) supply technical services for the purpose of maintenance and optimization of various chemical feed systems within Seminole County's water and wastewater facilities.

This project was publicly advertised and the County received two (2) responses. The Evaluation Committee consisting of Richard Gerling, Team Leader; Mike Harber, Sr. Engineer; and Jack Cheney, Environmental Services, evaluated the responses. Consideration was given to the bid price, qualifications and experience.

The Evaluation Committee recommends award of the contract to the overall best value offeror, Guardian Equipment, Inc. of Goldenrod at an estimated amount of \$125,000 per year. Authorization for performance of services by the Contractor under this agreement shall be in the form of written Work Orders issued and executed by the County and signed by the Contractor. The work and dollar amount for each Work Order will be within the constraints of the Board approved budget and negotiated on an as-needed basis for the project. The term of this agreement shall run for a period of one (1) year and at the sole option of the County, may be renewed for two (2) successive periods not to exceed one (1) year each.

This is a budgeted project and funds are available in accounts numbered 40100.169100 and 087801.530460. Environmental Services/Water and Wastewater Division and Fiscal Services/Purchasing and Contracts Division recommend that the Board approve the project and authorize the Chairman to execute the agreement as prepared by the County Attorney's Office.

14. Award RFP-4243-05/DRR – Irrigation System Evaluations – 2005 Agreement for Seminole County to Clear Water Products & Services of Winter Springs, FL (Estimated \$50,000 annually with a five year term).

RFP-4243-05/DRR will provide for irrigation system evaluations for residential properties.

This project was publicly advertised and the County received one (1) submittal in response to the solicitation. The Evaluation Committee which consisted of Liz Block, Ruth Hazard and Gary Rudolph all from Environmental Services Department reviewed the submittal. The evaluation was based on the following criteria:

- Experience of Proposer in conducting irrigation audits.
- Examples of previous irrigation audit reports.
- Demonstration of staffing capability to perform required services and handle the workload as indicated in the scope of services.
- Demonstrated experience and readiness to provide recommendations that would change customer's landscaping in ways that resulted in water use reduction.
- Price.

The Evaluation Committee recommends award of the contract to, Clear Water Products & Services of Winter Springs. The incumbent contractor, Clear Water Products has demonstrated excellent past performance and the price remains the same as the previous contract.

The estimated cost of this project is \$50,000.00 annually with a contract term of five years. This is a budgeted project and funds are available in account number 087804.530340. Environmental Services/Water-Wastewater Division and Fiscal Services/Purchasing and Contracts Division recommend that the Board award the project and authorize the Chairman to execute the contract as prepared by the County Attorney's Office.

15. Approve Amendment Number 2 to RFP-496-01/BJC (Name change from Harris, Cotherman, O'Keefe & Associates to Moore Stephens Lovelace P.A.) (All Terms and Conditions remain the same).

RFP-496-01/BJC provided for KPMG LLP, Orlando and Harris, Cotherman, O'Keefe & Associates, Winter Park (Jointly) to conduct audits of records, accounts and procedures in Seminole County according to the terms and conditions stated in the scope of work. The term of the Agreement commenced on July 10, 2001 and runs through audits of the fiscal years ending September 30, 2001, 2002, 2003, 2004 and 2005.

On January 3, 2003, a mutual termination was executed between the County and KPMG LLP; leaving all contractual rights and responsibilities to Harris, Cotherman, O'Keefe & Associates.

By letter dated March 22, 2005, Harris, Cotherman, O'Keefe & Associates indicates they have merged with Moore Stephens Lovelace P.A. and requests the name on their contract be changed to reflect the merger.

Amendment number 2 changes the name on RFP-496-01/BJC from Harris, Cotherman, O'Keefe & Associates to Moore Stephens Lovelace P.A.

Fiscal Services Department/Purchasing and Contracts Division recommends the Board approve the admendment and authorize the County Manager to sign Amendment Number 2 as prepared by the County Attorney's office.

16. Approve Amendment 3 to RFP-4122-01/BJC – County Physician Agreement with Florida Physician Medical Group D/B/A Newman Family Medicine of Altamonte Springs (Add forty-five days to the Contract term)

RFP-4122-01/BJC provides for specific health care services, including but not limited to pre-employment physicals and re-examinations for Seminole County employees. This contract is in its final year and is being resolicited as RFP-4240-05/DRS.

RFP-4240-05/DRS have closed and is under evaluation. This amendment will add forty-five days to the existing contract to insure coverage until the new contract is in place.

The following is the summary of the Contract through Amendment #3:

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|-------------------------------------|-------------|
| Original Contract Annual NTE Amount | \$70,000.00 |
| Amendment #1 | 8,000.00 |
| Amendment #2 added forty-five days | 0 |
| Amendment #3 adds forty-five days | <u>0</u> |
| Revised Contract Annual NTE Amount | \$78,000.00 |

This is a budgeted project and funds are available in various account numbers. Public Safety/Fire Rescue and Fiscal Services/Purchasing and Contracts Division recommend that the Board approve the forty-five day extension and authorize the County Manager to execute the amendment as prepared by the County Attorney's office.

INVITATIONS FOR BID

17. Award Bid 2114-05/TLR – Shell Path Renovation at Four Park Locations to Turn Lane Inc., Orlando (\$50,900.00).

Bid 2114-05/TLR provides for labor, supervision, equipment, materials and incidentals to deliver and install a crush shell surfacing over an existing shell base path on four one mile jogging paths. The locations are Red Bug Lake Park, Sanlando Park, Sylvan Lake Park and Greenwood Lakes Park. This will be the first renovation since these paths were constructed in 1988.

This project was publicly advertised and the County received five responses. The Review committee consisting of Joe Gasparini, Steve Waring, Jeff Hayes and Larry Morrell recommends award of the contract to the lowest priced, responsive, responsible bidder, Turn Lane Inc., in the amount of \$50,900.00. The completion time for this project is four months from the Notice to Proceed.

This is a budgeted project and funds are available in accounts numbered 043800.560630 Project # 00210801. Library and Leisure Services/Parks and Recreation Division and Fiscal Services/Purchasing and Contracts Division recommend the Board approve the project and authorize the Chairman to execute the agreement as prepared by the County Attorney's Office.

18. Revoke the Award of Bid 2001-04/GMG, Sale of County Owned Surplus Property – Office Building and Lot located at 997 East SR 436, Altamonte Springs.

On May 25, 2004, the Board of County Commissioners declared County owned property (Single Story Block – Seminole County Sheriff's Community Sub-Station (2,710 sq ft building) and Lot (approx 0.18 acres)) located at 997 East SR 436, Altamonte Springs, FL to be surplus and it was offered for bid on May 28, 2004. The minimum acceptable bid amount was set at \$78,463.00. Bid 2001-04/GMG was issued and one responsive bid was received in the amount of \$125,464.00, submitted by Mr. Arnold P. Stein, who is an adjacent property owner.

On August 10, 2004, the Board approved the sale of this surplus property to Mr. Arnold P. Stein in the amount of \$125,464. 00. The County Deed and the agreement for sale were in process, but could not be executed due to structural damages in the property caused by Hurricanes Charley, Frances and Jeanne. After intense assessment of the damages to the building, it has been determined by County staff that the sale cannot be offered at the same terms and conditions of the property prior to the Hurricanes.

Administrative Services/Support Services and Fiscal Services/Purchasing and Contracts Division recommend the Board to revoke the award of the property and authorize the return of the Cashier's Check in the amount of \$6,273.20 submitted by Mr. Stein to secure his offer. Administrative Services Department will evaluate possible options to determine the course of action regarding this property.